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SUBJECT: MAY 13 SESSION OF GRANVILLE/ABBAS MURDER TRIAL

¶1. (SBU) SUMMARY: On May 13, 2009, four U.S. Embassy Foreign Service National (FSN) employees from the Regional Security Office, Political/Economic and Public Affairs sections attended the trial of five Sudanese men accused in the January 1, 2008 murders of USAID Officer John Granville and FSN driver Abdelrahman Abbas. The defense called one witness to testify, Captain Mohamed Abdelgadir, a former weapons expert in the Sudanese Armed Forces (SAF). The next trial session is scheduled for May 17, 2009 at which time Abdelgadir will be cross-examined by the prosecution. END SUMMARY.

¶2. (U) The trial of the five Sudanese men accused of the January 1, 2008 terrorist murders of USAID Officer John Granville and FSN driver Abdelrahman Abbas continued on May 13, 2009. The prosecution was represented by Chair Mohamed Mustafa Musa, Juma Al Wakul Al-Asir, and Granville family attorney Taha Ibrahim. Abbas family attorney, Ismail Abu Sugra, was absent. The defense was represented by deputy defense Chair Adil Abdul Ghani, Ahmed Abu Agla, and Wajdi Salih. The defense Chair, Siddiq Kadoda, was not present.

¶3. (U) The defense called one witness to testify, Captain Mohamed Abdelgadir, a retired weapons expert in the SAF. Abdelgadir served in a military manufacturing corporation for the SAF. The witness requested that the judge instruct journalists not to mention his name and profession, but rather only that he is a "weapons expert". The defense referenced earlier reports from firearms experts used as witnesses for the prosecution and attempted to discredit those reports with testimony from Abdelgadir as their weapons expert.

¶4. (U) The defense requested that Abdelgadir present to the court his examination results from the shooting incident. Abdelgadir explained that the rounds could not have been fired from inside the attack vehicle based on his examination of the trajectories of the bullets fired. Based on this assessment and evidentiary discrepancies he found between the number of bullet holes and shell casings found, Abdelgadir said that in his opinion the crime scene had been tampered with, and the forensic methodology used by investigators was flawed.

¶5. (U) Abdelgadir stated that he conducted his own forensic tests of the weapons collected as evidence. Based on his investigation, he testified that casings fired from the weapons held in evidence do not match those casings that were found at the scene. Abdelgadir also stated that the shot groupings of 9mm rounds from the crime scene indicate that a 9mm pistol was not the weapon used, but was instead an automatic weapon. Based on this data, he suggested that evidence is being withheld from the defense.

¶6. (U) Abdelgadir attempted to discredit the crime scene sketch created during the initial investigation. He stated that the directional arrows were improperly drawn on the sketch and shell casings were placed too far from the victims' vehicle, thus confusing the investigation. The judge interrupted his statement, and declared that this argument was inconsequential to the proceedings.

¶7. (U) The defense requested the witness provide information on his whereabouts since his first appearance in court. [Note: Abdelgadir had been detained and questioned by the Sudanese National Intelligence and Security Service (NISS) following a previous trial session. The witness had not requested permission from the SAF to testify as a weapons expert at the trial. End Note] The defense asked the question with the apparent intent of establishing an argument that there had been witness intimidation. The judge stopped this line of defense questioning, ruling that it was not relevant.

¶8. (U) The next trial date is scheduled for May 17, 2009, when Mohamed Abdelgadir will be cross-examined by the prosecution.

ASQUINO